

which provides that the statute of limitations will be tolled upon initiation.

4. The caption of this action should be amended to reflect the dismissal of Mr. Dorsey (and the prior dismissal of TruGreen LandCare, LLC) as follows:

Rodney Smith,
on behalf of himself and all others similarly situated,

Plaintiff,

vs.

TruGreen Limited Partnership; TruGreen, Inc.; TruGreen
LawnCare; TruGreen of Delaware, Inc.; and ServiceMaster,

Defendants.

WHEREFORE, the parties respectfully request that the Court dismiss James Dorsey as a plaintiff and drop him from this action, and amend the caption.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2013, the foregoing Stipulated Motion to Dismiss James Dorsey and Memorandum in Support was electronically filed. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Shannon K. Patton

Shannon K. Patton

STIPULATED MOTION TO DISMISS
JAMES DORSEY